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INFO OCT-01 IO-11 UPW-01 CIAE-00 DODE-00 PM-06 H-02 INR-06
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RSR-01 /086 W

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R 121137Z AUG 71
FM AMEMBASSY SAIGON
TO SECSTATE WASHDC 8587
INFO AMEMBASSY BANGKOK
CINCPAC
AMCONSUL DA NANG
USDEL FRANCE
AMEMBASSY PHNOM PENH
AMEMBASSY VIENTIANE

UNCLAS SAIGON 12888

CINCPAC FOR POLAD

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [signature] DATE 6/26/87
RDS☐or XD☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKING ☐
DECLASSIFIED☐ RELEASABLE☑
RELEASE DENIED☐
PA or FOI EXEMPTIONS _____

SUBJ/ TEXT OF VICE PRESIDENT KY'S AUGUST 12 STATEMENT

REF: SAIGON 12887

1. FOLLOWING IS EMBASSY'S TRANSLATION OF PREPARED REMARKS MADE BY VICE PRESIDENT KY AT AUGUST 12 PRESS CONFERENCE PROTESTING THE TEMPORARY ELIMINATION OF HIS PRESIDENTIAL CANDIDACY AUGUST 5.

2. BEGIN TEXT. "AS YOU ALL KNOW MR. TRUONG VINH LE AND I HAVE MET MANY DIFFICULTIES AND HAVE BEEN HARASSED BY UNRIGHTEOUS TRICKY MANEUVERS WHILE WE PREPARED OUR PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDACIES FOR THE 1971-1975 TERM.

3. DUE TO THE ENTHUSIASTIC SUPPORT OF THE PEOPLE AND OF PROVINCIAL COUNCILLORS, OUR SLATE HAS OVERCOME THESE DIFFICULTIES AND ON AUGUST 4, 1971 WE PERSONALLY WENT TO FILE OUR CANDIDATE APPLICATION WITH THE DOCUMENTS REQUIRED

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BY LAW.

4. BUT ON AUGUST 5, 1971 AT THE FIRST POSTING OF PRESIDENTIAL CANDIDATES THE OFFICE OF THE SUPREME COURT HAUGHTILY ELIMINATED OUR SLATE FOR THE FOLLOWING REASON CITED IN THE FOOTNOTE: "THE NGUYEN CAO KY - TRUONG VINH LE SLATE HAS PRESENTED AN ENDORSEMENT PAPER WITH THE CERTIFIED ENDORSEMENTS OF 62 PROVINCIAL COUNCILLORS WHILE 39 OF THE COUNCILLORS' ENDORSEMENTS WERE NOT CERTIFIED. THESE ENDORSEMENTS COINCIDED WITH 39 ENDORSEMENTS OF COUNCILLORS WHO ALSO INTRODUCED THE NGUYEN VAN THIEU TRAN VAN HUONG SLATE." THE FOOTNOTE ALSO NOTED 'THAT THE CASE OF OUR SLATE WILL DEPEND UPON THE DECISION OF THE GENERAL ASSEMBLY OF THE SUPREME COURT IF THERE IS A COMPLAINT..."

5. THE FIRST POSTING OF AUGUST 5, 1971, IS CONTRARY TO LAW AND IS ARBITRARY BECAUSE:

A) ACCORDING TO ARTICLE 14 LAW NO. 9/1971, JUNE 23, 1971 ESTABLISHING PROCEDURES FOR THE PRESIDENTIAL AND VICE PRESIDENTIAL ELECTIONS, THE OFFICE OF THE SUPREME COURT ONLY HAS THE FUNCTION OF POSTING THE LISTS OF EACH SLATE OF CANDIDATES SUBMITTED WITH SUFFICIENT DOCUMENTS. OFFICE OF THE SUPREME COURT DOES NOT HAVE NOT POWER TO REVIEW THE CONTENTS OR ASSESS THE VALIDITY OF THE CANDIDATE'S APPLICATION. THIS JURISDICTION BELONGS TO THE GENERAL ASSEMBLY OF THE SUPREME COURT IN ITS DUTY OF COMPILING LISTS OF PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES ACCORDING TO ARTICLE 46 LAW NO. 7-68 OF SEPTEMBER 3, 1968 ESTABLISHING THE ORGANIZATION AND OPERATION OF THE SUPREME COURT AND ARTICLE 54 OF THE CONSTITUTION.

B) THE OFFICE OF THE SUPREME COURT HAS STATED THAT THE GENERAL ASSEMBLY OF THE SUPREME COURT MAY REVIEW OUR DOSSIERS ONLY IF OUR SLATE MAKES AN APPEAL. WE INSIST THAT THERE IS NO POINT IN LAW WHICH PERMITS THE OFFICE OF THE SUPREME COURT TO DECIDE IN SUCH AN ARBITRARY AND ILLEGAL FASHION.

6. FOR THIS REASON OUR SLATE CATEGORICALLY PROTESTS AND DECLARES THAT IT REJECTS THE VALIDITY OF THE FIRST POSTING OF CANDIDATES ON AUGUST 5, 1971.

7. WE ALSO SOLEMNLY DENOUNCE THE ANTI-DEMOCRATIC ACTIVITIES

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OF NGUYEN VAN THIEU IN USING THE HIGHEST JUDICIAL ORGAN OF THE 2ND REPUBLIC FOR UNRIGHTEOUS PURPOSES INTENDED TO CONTRIBUTE TO A FRAUDULENT ELECTION." END TEXT.

8. THE ABOVE WAS A PRESS RELEASE SIGNED BY NGUYEN CAO KY AND TRUONG VINH LE, DATED AUGUST 12, 1971 AND DISTRIBUTED TOMEMBERS OF THE PRESS FOLLOWING THE AUGUST 12 CONFERENCE.
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